

REMARKS/ARGUMENTS

1.) Claim Amendments

The Applicants have amended Claims 5-7, 12-16 and 19 and Claims 1-4, 8-11, 17-18, and 20 have been canceled. Accordingly, Claims 5-7, 12-16 and 19 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Allowable Subject Matter

The Applicants gratefully acknowledge the conditional allowance of Claim 5. Claim 5 has been amended to incorporate all of the elements of canceled base Claim 1. Claims 6 and 7 are now based on conditionally allowed Claim 5, and include the limitations of Claim 5. Claim 19 has been amended to include the elements of canceled base Claim 1 and canceled intermediate Claim 3. The Applicants note that the Examiner did not provide a basis of rejection of Claim 19, nor do Applicants believe such basis for rejection exists in the cited references.

3.) Examiner Objections - Drawings

The Examiner stated that the drawings were objected to because the drawings must show every feature of the invention specified in the claims. Specifically, the Examiner stated that the "capacitor" must be shown or the feature canceled from the claim. Amended Claim 19 includes reference to the use of a capacitor. Figure 3 has been re-designated as Figures 3A and 3B. Figure 3A is the same structurally as Figure 3, with battery 22 relabeled as battery 22A. Figure 3B shows capacitor 22B in place of battery 22A. Support for these changes can be found on page 4, lines 1 to 7 as follows:

Alternatively, a back-up power storage for supplying power to the control circuitry, when the controlled switch is in its second state, is provided. This power storage could be e.g. a capacitor or a small battery. This power storage enables the control circuit to be powered up and bring the controlled switch to its first state in which the load and the control circuit are connected to the battery through that switch, when the load is intended to be switched on.

Further support is found at page 5, lines 11-17 as follows:

Alternatively, the method comprises the step of supplying power from a back-up power storage to the control circuitry, when the controlled switch is in its second state. This power storage could be e.g. a capacitor or a small battery. This power storage enables the control circuitry to be powered up and bring the controlled switch to its first state in which the load and the control circuitry are connected to the battery through that switch, when the load is intended to be switched on.

The paragraph on page 8, lines 20 to 31 has been amended as described.

4.) Examiner Objections - Claims

The Examiner objected to Claim 1 due to informalities. The Examiner stated that "control circuitry", second occurrence, should be replaced by ---control circuitry,---. The Applicants have amended Claim 1 (as incorporated into Claims 5, 12 and 19) to add a comma after the second occurrence of "control circuitry" as suggested by the Examiner as this is the only change that could be determined necessary since the second occurrence of the term contained proper antecedent basis.

5.) Claim Rejections – 35 U.S.C. § 102(b)

The Examiner rejected claims 1, 3 and 4 under 35 U.S.C. § 102(b) as being anticipated by Celenza, et al. (US 5,049,805). Applicants have canceled Claims 1, 3 and 4.

6.) Claim Rejections – 35 U.S.C. § 103(a)

The Examiner rejected claims 1, 3, 4, 6, 7 and 17 under 35 U.S.C. § 103(a) as being unpatentable over Tamai (US 5,477,124). The Applicants have canceled Claims 1, 3, 4, and 17. Claims 6 and 7 have been amended to depend on conditionally allowed Claim 5.

The Examiner rejected claims 2, 9 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Tamai in view of Arnet, et al. (US 6,768,621). The Applicants have canceled Claims 2, 9 and 18.

The Examiner rejected claims 12-16 under 35 U.S.C. § 103(a) as being unpatentable over Tamai in view of prior art disclosed by Malhi (US 5,731,686). Claim 12 has been re-written to incorporate all of the elements of its base Claim 1. Claim 12 further discloses the use of a microcontroller as the control circuitry. In paragraph 8 of the Office Action, the Examiner acknowledges that Tamai does not disclose a microcontroller, but that Malhi discloses an integrated circuit (IC) embedded into batteries, which Examiner equates to a microcontroller (MCU). There is a significant difference between an MCU and an IC. Although an MCU can be in the form of an IC, an IC is not necessarily an MCU, and it is clearly not so in Malhi. A typical MCU includes a processor, memory, bus, etc. These elements of a microcontroller are not disclosed or suggested in Malhi. The combination of Tamai and Malhi do not disclose nor suggest the present invention as claimed in Claims 12-16. Therefore, the allowance of claims 12-16 is respectfully requested.

CONCLUSION

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 5 and 19.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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